

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

SANDERS EXPRESS LOGISTICS)
AND MILAGRO SANDERS,)
)
Plaintiff,)
v.) CIVIL ACTION FILE
) NO: _____
PROGERSSIVE MOUNTAIN)
INSURANCE,)
)
Defendants.)

PETITION FOR REMOVAL

TO: The Judges of the United States District Court, Northern District of Georgia

1. A civil action has been brought against the Petitioner which is now pending in the Superior Court of Gwinnett County, State of Georgia, by the above-named Plaintiffs, said action being designated as Civil Action No. 23-A-04342-5. In the within suit, Plaintiffs seek to recover from Defendant a sum in excess of \$75,000.00 exclusive of interests and costs and claims federal claims under the US Constitution.
2. The Plaintiffs are now, was at the time of the commencement of this action, and at all times since has been a citizen and resident of the State of Georgia.
3. Defendant Progressive Mountain Insurance is at the time of the commencement of this action, and at all times since has been a citizen and

resident of the State of Ohio with their principal address at 6300 Wilson Mills Road, Mayfield Village, Ohio 44143.

4. This action was filed with the Superior Court of Gwinnett County on May 19, 2023. (*See Plaintiff's Complaint, Exhibit A*). Defendant was not properly served, but received notice of the Complaint on May 24, 2023. (*See Service of Process Transmittal Summary, Exhibit B*).
 5. The Plaintiff's *Complaint for Damages* seeks in excess of \$700,000,000,000 (Seven Hundred Billion dollars in damages) which consists of a claim of \$310,863 for lost property, \$100,000 in late fees and interest, \$3,500,000 in lost revenue, and \$700,000,000,000 in bad faith damages.
 6. The Complaint also raises federal causes of action as it makes claims under a violation of Plaintiff's First and Fourth Amendments to the Constitution.
 7. Attached hereto are copies of the following pleadings and other filings in the within action, which was initially filed in the Superior Court of Gwinnett County (Civil Action No. 23-A-04342-5)
- Exhibit A: Complaint
8. Now, within thirty (30) days following notice of this lawsuit, Defendant has filed the within Petition for Removal to this Honorable Court.
 9. This Honorable Court has federal diversity jurisdiction under 28 U.S.C. 1332, in that it is a civil action wherein the amount in controversy exceeds

seventy-five thousand dollars (\$75,000), exclusive of interest and cost, and there is diversity of citizenship between the parties.

10. This Honorable Court further has jurisdiction under 28 U.S.C. 1331 and is one which may be removed to this Court pursuant to 28 U.S.C. 1441(a) and

(b) in that it is a civil action arising under the Constitution and laws of the United States.

11. As between the Plaintiffs and Defendant there exists complete diversity of citizenship under 28 U.S.C. 1332(a).

12. This Court has jurisdiction over the federal claims, and jurisdiction over the state law claims due to supplemental jurisdiction and diversity jurisdiction as all the claims arise out of the same facts and circumstances such that they form part of the same case or controversy.

13. Defendant certifies that he has given notice of filing this notice to plaintiff and has filed a written notice with the Clerk of the Superior Court of Gwinnett County, a copy of which is included in Exhibit C.

14. The undersigned have read this notice, and to the best of their knowledge, information, and belief, formed after reasonable inquiry, it is well-grounded in fact, is warranted by existing law, and is not interposed for any improper purpose, such as to harass or cause unnecessary delay or needless increase in the costs of litigation.

WHEREFORE, Defendant files this Petition for Removal of said cause to this Honorable Court.

Respectfully submitted, this 22nd of June, 2023.

FAIN, MAJOR & BRENNAN, P.C.

/s/ Robyn M. Roth

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CERTIFICATE OF SERVICE

This is to certify that I have this day served the foregoing ***Petition for Removal*** with the Clerk of Court using ***CM/ECF*** which will automatically send e-mail notification of such filing to all parties of record and/or by depositing a copy of same with the United States Postal Service, with first class postage prepaid, as follows:

Milagro Sanders
1399 Herrington Road
Unit 5106
Lawrenceville, GA 30044
sandersexpress@gmail.com

Respectfully submitted, this 22nd of June, 2023.

FAIN, MAJOR & BRENNAN, P.C.

/s/ *Robyn M. Roth*

One Premier Plaza
5605 Glenridge Drive NE
Suite 900

ROBYN M. ROTH
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